

Message Text

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21

ACTION PM-04

INFO OCT-01 EA-07 ISO-00 CIAE-00 COME-00 DOTE-00 EB-07

FMC-01 INR-07 NSAE-00 SAL-01 CG-00 DLOS-06 OES-06

FAA-00 NSC-05 SP-02 SS-15 L-03 NSCE-00 SSO-00 USIE-00

INRE-00 /065 W

----- 041467

O R 081054Z DEC 76

FM AMEMBASSY CANBERRA

TO SECSTATE WASHDC NIACT IMMEDIATE 9456

INFO SECDEF WASHDC

CNO WASHDC

COGARD

CHESNAVFACENGCOM WASHDC

CINCPAC HONOLULU HI

C O N F I D E N T I A L CANBERRA 8851

FROM OMEGA TEAM

CINCPAC ALSO FOR POLAD

SECDEF FOR OASD/ISA

E.O. 11652: GDS

TAGS: AS, MARR, ETRN

SUBJ: OMEGA AUSTRALIA NEGOTIATIONS

1. INITIAL MEETING DEC 7 WITH DEPARTMENT OF TRANSPORTATION OFFICIALS (JACOB AND ANDREWS) REVEALED THAT SECOND AUSTRALIAN DRAFT (WHICH WE RECEIVED NOV 29) WAS PRACTICALLY SET IN CONCRETE. JACOB STATED: (A) THAT TEXT HAD BEEN APPROVED BY INTER-DEPARTMENTAL OMEGA COMMITTEE, WHICH HE CHAIRS, AND THUS AT PERMANENT SECRETARY LEVEL IN THE SIX DEPARTMENTS REPRESENTED, AND (B) THAT THE TEXT HAD BEEN DRAFTED IN CANBERRA (WE ASSUME BY DEPARTMENT OF FOREIGN AFFAIRS) PRECISELY TO MEET THE DEMANDS AND CONDITIONS OF THE JOINT PARLIAMENTARY REPORT OF MAY 1975, IN ORDER TO PLACE THE PRESENT GOVERNMENT IN THE BEST POSSIBLE TACTICAL POSITION IN THE TOUGH BATTLE SHAPING UP WITH OMEGA OPPOSITION AND LEFT-WING UNIONS ONCE CABINET APPROVAL IS ANNOUNCED (TENTATIVELY SCHEDULED FOR MARCH).

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2. IN THESE CIRCUMSTANCES, WE RESORTED TO THE TERMINATION CLAUSE OPTION. JACOB EXPRESSED TENTATIVE SUPPORT FOR OUR PROPOSAL ON THE "POLITICAL" PARAGRAPHS (THE GOLDSMITH FORMULATION PROVIDING FOR TERMINATION BY EITHER GOVERNMENT AT WILL IN RETURN FOR DELETION OF THE UNACCEPTABLE SUSPENSION PROVISION IN PARA 6). AND AGREED TO REFER THIS PROPOSAL TO DFA.

3. IN NEGOTIATIONS DEC 8 IN CANBERRA, DFA REPRESENTATIVE ON OMEGA COMMITTEE, MAX HUGHES, HOWEVER, DESCRIBED THE NO-NOTICE TERMINATION-AT-WILL PROVISION AS AN EXTREMELY WORRISOME PRECEDENT FOR THE GOA, SINCE IT COULD INSPIRE OPPOSITION DEMANDS FOR A SIMILAR PROVISION IN FUTURE US-AUSTRALIAN AGREEMENTS. (AT EARLIER DISCUSSION AT THE EMBASSY AND WITH THE AMBASSADOR, A SIMILAR CONCERN HAD BEEN VOICED BY USAF AND OTHER AGENCY REPRESENTATIVES CURRENTLY NEGOTIATING AGREEMENTS WITH THEIR AUSTRALIAN COUNTERPARTS.) WE ADMITTED VALIDITY OF THIS POINT AND AGREED TO SEEK FURTHER INSTRUCTIONS AS TO WHETHER A MODIFIED SUSPENSION CLAUSE ALONG FOLLOWING LINES WOULD BE ACCEPTABLE:

"PARA 6. ON THE COMPLETION OF THE FACILITY, THE AUSTRALIAN GOVERNMENT SHALL MAKE ARRANGEMENTS FOR BEGINNING THE REGULAR TRANSMISSION OF SIGNALS BY THE FACILITY AS A PART OF THE WORLD-WIDE OMEGA SYSTEM. THE AUSTRALIAN AND UNITED STATES GOVERNMENTS SHALL USE THEIR BEST ENDEAVORS TO ENSURE THE CONTINUOUS OPERATION OF THEIR RESPECTIVE FACILITIES IN PHASE WITH THE WORLD-WIDE OMEGA SYSTEM AND AGREE TO CONSULT URGENTLY IF AN EMERGENCY SITUATION ARISES WHICH REQUIRES THE AUSTRALIAN GOVERNMENT TO CEASE TEMPORARILY THE OPERATION OF THE FACILITY." (COMMENT: WITH SUCH A PARA 6, THE TERMINATION FORMULATION IN THE COMPLIMENTARY CLOSE WOULD BE THAT OF THE AUSTRALIAN NOV 29 TEXT PROVIDING FOR SIX MONTHS NOTICE.)
PLEASE ADVISE.

4. IF THIS FORMULATION OF PARA 6 IS ACCEPTABLE, REQUEST AUTHORITY TO INFORM JACOB AND HUGHES ON DEC 10 THAT THEIR NOV 29 TEXT WITH THE FOLLOWING MODIFICATIONS IS AN AGREED AD REFERENDUM TEXT:

PREAMBLE: "EXCELLENCY, I HAVE THE HONOR TO REFER TO RECENT CONFIDENTIAL

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DISCUSSIONS BETWEEN REPRESENTATIVES OF THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA CONCERNING THE ESTABLISHMENT IN SOUTH-EASTERN AUSTRALIA OF AN OMEGA NAVIGATION FACILITY CAPABLE OF BEING USED BY ANY SUITABLY EQUIPPED SHIP OR AIRCRAFT.

IN THE LIGHT OF THESE DISCUSSIONS I HAVE THE HONOUR TO PROPOSE THAT AN OMEGA NAVIGATION FACILITY BE ESTABLISHED, OPERATED AND MAINTAINED BY THE AUSTRALIAN GOVERNMENT AS AN

AUSTRALIAN FACILITY FOR THE PURPOSE OF IMPROVING THE NAVIGATIONAL EFFICIENCY OF MARINERS AND AVIATORS OF ALL NATIONS, AND THAT, TO THIS END, AN AGREEMENT BETWEEN OUR TWO GOVERNMENTS BE CONCLUDED IN THE FOLLOWING TERMS:"

PARAS 1, 2, 3, AND 4 - NO CHANGE.

PARA 5 - "THE AUSTRALIAN GOVERNMENT SHALL BE SOLELY RESPONSIBLE FOR OPERATING, MANAGING, MAINTAINING, AND STAFFING THE FCILITY AND SHALL BEAR THE COST THEREOF."

PARA 6 - AS ABOVE.

PARA 7 - "OMEGA SIGNALS FORM THE FACILITY SHALL BE USED ONLY FOR NAVIGATION, FOR SEARCH AND RESCUE OPERATIONS, FOR TIME DISSEMINATION AND FOR OTHER PURPOSES AS AGREED BY BOTH GOVERNMENTS, BUT NOT FOR COMMUNICATIONS OTHER THAN THAT NECESSARY TO THE INTEGRATED OPERATION OF THE FACILITY AS PART OF THE WORLD-WIDE OMEGA SYSTEM."

PARA 8 - NO CHANGE.

PARA 9 - NO CHANGE. (COMMENT: JACOB IS INVESTIGATING THE TAX EXEMPTION FOR SERVICES WITH HIS TAX AUTHORITIES AND MAY ACCEPT THE WORDS "AND SERVICES" IN THIS PARA OR IN THE SUPPLEMENTARY AGREEMENTS TO BE SIGNED BETWEEN THE CO-OPERATING AGENCIES.

PARA 10 - "WHENEVER THE CO-OPERATING AGENCIES AGREE THAT THE WHOLE OR ANY PART OF THE EQUIPMENT AND MATERIALS LISTED IN THE ANNEX TO THIS AGREEMENT ARE NO LONGER REQUIRED FOR THE PURPOSES OF THIS AGREEMENT, SUCH WHOLE OR PART AND SUCH OTHER EQUIPMENT AND MATERIALS AS THE CO-OPERATING AGENCIES AGREE SHOULD ALSO BE RETURNED TO THE UNITED STATES GOVERNMENT SHALL BE RETURNED TO THE UNITED STATES GOVERNMENT FOR CONVEYANCE FROM AUSTRALIA OR, UPON CONDITIONS AGREED BY THE TWO GOVERNMENTS, FOR DISPOSAL IN AUSTRALIA."

PARA 11, 12 - NO CHANGE

PARA 13 - "THE AUSTRALIAN GOVERNMENT, AS OPERATOR OF THE FACILITY, WILL CO-OPERATE WITH OTHER COUNTRIES OPERATING OMEGA FACILITIES AND WILL USE ITS BEST ENDEAVOURS, AS WILL THE UNITED STATES
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GOVERNMENT, TO ESTABLISH AN APPROPRIATE INTERNATIONAL REGIME FOR THE COORDINATED OPERATION OF THE OMEGA SYSTEM."

PARA 14 - NO CHANGE

COMPLIMENTARY CLOSE - NO CHANGE.

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Message Attributes

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Draft Date: 08 DEC 1976
Decaption Date: 01 JAN 1960
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Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: SmithRJ
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Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Enclosure: n/a
Executive Order: GS
Errors: N/A
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Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

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